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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 JUMAH ABDULLAH THOMAS
10 MOORE ALI,

11 Plaintiff,

No. CIV S-02-0937 MCE KJM P

12 vs.

13 COUNTY OF SACRAMENTO, et al.,
14 Defendants.

ORDER TO SHOW CAUSE

15 Defendants have filed a motion to reconsider with respect to the order issued by
16 this court on March 30, 2007. Most of that order concerns discovery matters.

17 Defendant the County of Sacramento (the County) indicates that the court order
18 requires that the County turn over portions of the personnel files of certain defendants. The
19 County also indicates that “these documents contain the names and personal information of non-
20 parties, as well as potentially personal information regarding the officer involved.” Mot. at 2:14-
21 16. For this reason defendants ask that the court review these documents *in camera* for
22 “relevancy” before defendants be required to turn them over. *Id.* at 2:23.

23 The court declines to review the documents for “relevancy.” The appropriate time
24 for such a review would have been when the court considered the appropriate motion to compel
25 in conjunction with a lack of relevancy based opposition to the motion. Counsel presents nothing
26 indicating that it could not file a proper opposition to plaintiff’s motion to compel.

1 The County also asks that before it turn over any documents from the personnel
2 file of any defendant, the County be permitted to “redact names of non-parties and any personal
3 information from the documents.” Id. at 2:22-25. While this request is vague, the court will
4 allow the County to redact any Social Security Numbers, home addresses, telephone numbers or
5 birth dates of any person identified in documents retrieved from the personnel files of defendants.
6 See L.R. 39-140.

7 In part 1(c) of the court’s March 30 order, the County was ordered to produce to
8 plaintiff a list of complaints filed in this court or in the Superior Court of Sacramento County
9 within the last five years against any remaining defendant where the plaintiff alleged a violation
10 of his First Amendment rights occurring in a Sacramento County Jail facility.

11 The County indicates that during the relevant period of time there were: (1) 64
12 cases filed against defendant Blanas in the Superior Court of Sacramento County; (2) over 1,900
13 cases filed in the Superior Court of Sacramento County against the County; (3) 171 cases filed in
14 this court against defendant Blanas; and (4) 238 cases filed against this court against the County.
15 The County indicates that it would be onerous for the County to search all of these case files to
16 determine which cases must be included on the list the County was ordered to provide under part
17 1(c) of the court’s March 30 order.

18 Based on the showing now made by the County, the court is able to determine that
19 it would be overly burdensome for the County to comply with that portion of part 1(c) of the
20 court’s March 30, 2007 order pertaining to defendants Blanas and the County. The County will
21 be relieved of this portion of the order.

22 Counsel for the County will be ordered to show cause why counsel should not be
23 sanctioned in the amount of \$100. Nothing in the record suggests why arguments that should
24 have been made in opposition to plaintiff’s motions to compel discovery, which the court
25 addressed in its March 30, 2007 order, were not raised by counsel until after those motions were
26 decided.

1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Defendants' April 6, 2007 motion for reconsideration is granted in part and
3 denied in part as follows:

4 A. Granted with respect to part 1(c) of the court's March 30, 2007 order.

5 In part 1(c), the phrase "remaining defendant" no longer refers to
6 defendants Blanas or the County of Sacramento.

7 B. With respect to any documents turned over by the County of
8 Sacramento from the personnel files of any defendant, the County may
9 redact any Social Security Numbers, home addresses, telephone numbers
10 or birth dates of any person identified in the documents. These documents
11 must be turned over to plaintiff within ten days of this order.

12 C. Defendants' motion for reconsideration is denied in all other respects.

13 2. Counsel for the County of Sacramento show cause within ten days why the
14 court should not impose sanctions of \$100.

15 DATED: June 14, 2007.

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18 U.S. MAGISTRATE JUDGE
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